

Message Text

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PAGE 01 STATE 225247

44

ORIGIN SCI-04

INFO OCT-01 EUR-08 ISO-00 COME-00 TRSE-00 EPA-01 EB-04

STR-01 CEQ-01 FEA-01 AID-05 CIAE-00 COA-01 DODE-00

INR-05 IO-04 L-01 NSF-01 NSC-05 NSAE-00 PM-03 RSC-01

SS-20 SP-02 CEA-01 EA-06 FRB-01 NEA-06 OPIC-06

CIEP-01 LAB-01 SIL-01 SWF-01 OMB-01 TAR-01 H-01 PA-01

PRS-01 USIE-00 SSO-00 NSCE-00 INRE-00 /098 R

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EB/OT/STA: MR. WINSTANLEY (INFO)

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TO USMISSION OECD PARIS IMMEDIATE

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E.O. 11652: NA

TAGS: SENV, OECD

SUBJECT: REMAINING QUESTIONS ON POLLUTER PAYS PRINCIPLE
TO BE CONSIDERED BY COUNCIL ON OCTOBER 15

REFS: (A) PARIS 23887; (B) STATE 218310; (C) STATE
2184472; (D) STATE 211376

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PAGE 02 STATE 225247

FOLLOWING IS OUR GUIDANCE FOR MISSION'S USE IN RESOLVING

THE FEW REMAINING QUESTIONS RELATING TO THE ACTION PROPOSAL CONCERNING THE POLLUTER PAYS PRINCIPLE:

1. WHILE WE WOULD CONTINUE TO HOPE ITALIANS WILL NOT PRESS THEIR POINT, WE WOULD BE PREPARED TO SUPPORT THE ITALIAN-DUTCH COMPROMISE FOR PARA II ON THE UNDERSTANDING WE WOULD EXPECT THE ENVIRONMENT COMMITTEE TO GIVEN QUESTION FURTHER EXAMINATION AND THAT ITALIAN PLANS MAY BE SUBJECT TO DISCUSSION UNDER NOTIFICATION AND CONSULTATION PROCEDURES.

2. RE PARA III, 2B. WE ARE PREPARED TO ACCEPT EITHER ALTERNATIVE BUT HAVE A PREFERENCE FOR THE FIRST AND SHORTER VERSION. U.S. MAY AGREE WITH THE CONCEPT THAT "WHEREVER PRACTICABLE" PRECISE TIME PERIODS FOR PROVIDING AID SHOULD SPECIFIED IN ADVANCE, BUT WITH THE RECOGNITION THAT IN SOME INSTANCES THIS MIGHT HAVE TO BE EXPRESSED

IN TERMS OF THE ESTIMATED TIME NECESSARY TO ACHIEVE A GIVEN TECHNICAL OBJECTIVE. WE SENSE THAT UK BELIEVES THAT IN EACH CASE IT WILL BE ABLE, FOR ITS PART, TO SPECIFY PRECISE TIME PERIODS BUT THAT IT IS NOT NECESSARILY DEMANDING THAT ALL OTHER MEMBER STATES RELIGIOUSLY ADHERE TO THIS PROCEDURE.

3. RE PARA III. WE HAVE A PREFERENCE FOR THE JAPANESE FORMULATION BUT WOULD HOPE THAT THEY WOULD NOT PRESS THEIR VERSION SHOULD THIS HINDER ACHIEVEMENT OF AN EARLY CONSENSUS.

4. FINALLY, WE CONCUR IN FORMULATION FOR PARA III, AS REPORTED IN PARA 10 OF PARIS 23887. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INSTRUCTIONS, ENVIRONMENT, AGREEMENT DRAFT, MINISTERIAL MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 11 OCT 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: elyme
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE225247
Document Source: CORE
Document Unique ID: 00
Drafter: HBENGELSDORF:EF
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740290-0594
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741051/aaaabrji.tel
Line Count: 93
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN SCI
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: (A) PARIS 23887; (B) STATE 218310; (, C) STATE
Review Action: RELEASED, APPROVED
Review Authority: elyme
Review Comment: n/a
Review Content Flags:
Review Date: 30 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <30 APR 2002 by boyleja>; APPROVED <17 MAR 2003 by elyme>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: REMAINING QUESTIONS ON POLLUTER PAYS PRINCIPLE TO BE CONSIDERED BY COUNCIL ON OCTOBER 15
TAGS: SENV, OECD
To: OECD PARIS
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005